

b. Eastern District of Virginia Local Rule 3(B)(4) and 3(C), because the motor vehicle collision occurred in Spotsylvania County, Virginia.

II. PARTIES

3. Plaintiff Tashia Johnson is an individual and, for all times relevant to this action, a resident and domiciliary of the State of Texas.

4. Defendant Matthew Paul Thomas is an individual and, for all times relevant to this action, a resident and domiciliary of the Commonwealth of Pennsylvania.

5. Defendant FedEx Freight, Inc., is a stock corporation with its principal place of business at 8285 Tournament Drive, Building C, Memphis, Tennessee 38125.

III. FACTUAL ALLEGATIONS

6. On October 19, 2022, at approximately 3:50 AM, Plaintiff Tashia Johnson was a passenger in a 2016 Chevy Impala that was being driven by her brother Dwight Johnson. The Chevy Impala was travelling in the Number 3 lane northbound on I-95 near mile marker 139.

7. Defendant Matthew Paul Thomas was driving a Peterbilt tractor trailer and was travelling northbound on I-95 in the Number 2 lane. Upon information and belief, Defendant Thomas was driving in the course and scope of his employment with Defendant FedEx Freight, Inc.

8. According to police records, Defendant Thomas began to change lanes into the Number 3 lane and sideswiped the Chevy Impala.

9. As a result of the crash, both vehicles sustained visible damage. Stafford County Fire and Rescue services responded to the scene.

10. At the scene, Ms. Johnson reported back pain as a result of the collision. First responders noted that she was a back seat passenger who was wearing her seat belt. She was transported to Mary Washington hospital for treatment.

11. Ms. Johnson suffered significant physical injuries as a result of the crash that have necessitated ongoing medical care and expenses. In addition to the care she has received to date, she has been recommended for surgery as a result of the collision and will likely incur significant future medical expenses. Plaintiff Johnson has experienced and continues to experience pain, inconvenience, disability and mental anguish due to the injuries she suffered in the collision.

IV. LEGAL CLAIMS

COUNT I

Negligence – Defendant Thomas

12. Plaintiff re-alleges and reincorporates the preceding paragraphs as if fully set forth herein.

13. At all relevant times, Defendant Thomas had a duty to follow the rules of the road, and specifically to exercise ordinary care in the operation of his vehicle and to pay full time and attention to the roadway.

14. Tractor-trailer vehicles are inherently dangerous and require the driver to maintain control and pay close attention to the roadway to avoid serious injury or death to other motorists.

15. Based on the information contained in the police records, Defendant Thomas failed to use ordinary care and otherwise breached his duties by attempting to merge into a lane occupied by the Chevy and by failing to pay attention to the traffic conditions on I-95, thereby endangering Plaintiff and others on the roadway.

16. Defendant Thomas' careless driving exposed Plaintiff to needless and avoidable harm and was a proximate cause of the collision between his tractor-trailer and the Chevy.

17. The collision between the tractor-trailer and the Chevy caused significant damage to the Chevy and caused serious personal injury to Plaintiff.

18. But for Defendant Thomas' carelessness and negligence, Plaintiff would not have sustained the injuries which are the subject of this lawsuit.

19. In summary, as a direct and proximate result of Defendant Thomas' negligence, Plaintiff suffered Plaintiff's bodily injuries, disability, disfigurement, physical pain, mental anguish, humiliation, embarrassment, inconvenience, and medical expenses.

COUNT II
Vicarious Liability – Defendant FedEx Freight, Inc.

20. Plaintiff re-alleges and reincorporates the preceding paragraphs as if fully set forth herein.

21. At all relevant times, Defendant Thomas was working in the course and scope of his employment with Defendant FedEx Freight, Inc.

22. Under the doctrine of respondent superior, Defendant FedEx Freight, Inc., is vicariously liable for the negligence of Defendant Thomas that occurred in the course and scope of his duties for Defendant FedEx Freight, Inc.

23. Accordingly, Defendant FedEx Freight, Inc. is liable for any and all damages that are the direct and proximate result of Defendant Thomas' negligence, including Plaintiff's bodily injuries, disability, disfigurement, physical pain, mental anguish, humiliation, embarrassment, inconvenience, and medical expenses.

V. PRAYER FOR RELIEF

WHEREFORE, the Plaintiff, Tashia Johnson, respectfully prays for judgment and award of execution against the Defendant Matthew Paul Thomas, jointly and severally, in the sum of

\$750,000.00 (SEVEN HUNDRED AND FIFTY THOUSAND DOLLARS) or in such greater amount to be determined at trial, as well as costs, prejudgment interest, attorney's fees and such other relief that the Court may deem appropriate.

VI. JURY DEMAND

Plaintiff requests a trial by jury.

Respectfully filed,
TASHIA JOHNSON

/s/

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